



# **Request for Proposal (RFP) for an Asset and Space Management Solution**

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City of Durham, NC

January 21, 2016

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## GENERAL INFORMATION

### 10. Date of RFP

January 21, 2015

### 20. Project Manager/City Contact

Direct questions and concerns to:

Robyn Williams Heeks  
General Services Department  
Phone: 919-560-4197 ext. 21245  
Email: robyn.hecks@durhamnc.gov

If you have concerns about this RFP that you believe are not being addressed by the project manager, please contact:

Kerry Goode, TS Director/CIO  
Technology Solutions Department  
Phone: 919- 560-4122 ext. 33248  
Email: kerry.goode@durhamnc.gov

## DESCRIPTION OF PROJECT AND NATURE OF RFP

### 30. Project

Through this RFP, the City of Durham Department of General Services (GSD) is soliciting Proposals from vendors to provide software and professional consulting services for an asset and space management system (ASMS) for functions relating to maintenance of City of Durham facilities. Samples of the types of facilities that will be managed in the asset management database include the following:

- Office
- Maintenance
- Storage
- Fuel Stations
- Parks
- Picnic Shelters
- Recreation Centers
- Pools
- Parking Garages
- Surface Parking Lots
- Site Circulation
- Site Furnishings
- Vacant Parcels

The asset and space management system will be implemented in phases with the schedule and priority deliverables determined once a vendor is selected. Regardless of phasing, the vendor will be selected based on their ability to deliver the following:

1. Vendor to provide platform for the entire scope of work described in this RFP or some reasonable portion there-of. Consideration will be given to a vendors future growth plans in determining whether a phased implementation may provide alignment.
2. Vendor to provide seamless and comprehensive initial migration of work order history, preventative maintenance schedules and inventory tracking from Facility Dude, General Services' current maintenance and inventory management system.
3. Vendor to provide seamless and comprehensive initial migration of facility index spreadsheet and associated data.
4. Vendor to provide seamless and comprehensive migration of project management data from Microsoft Project and Primavera Contract Manager.

Vendors are to complete the response in the format as per Section 280 of this RFP for each submission. As indicated on the accompanying response matrix, vendors should note which of each of the scope items they can provide (Y/N). If a scope item is not currently supported, the vendor should use the last column to note whether, and on what time frame, the scope will be provided for in the future.

Vendors may partner with other vendors to create a comprehensive proposal, but the process for integrating the platforms must be described for both the implementation and maintenance phases of the work.

## **40. Scope of Work**

The following section details the scope of work and requirements of the City of Durham. Please respond specifically to all applicable requirements in a separate attached spreadsheet following the format example in Section 280 of this RFP. Any additional materials and documentation can be referenced and attached with your submission.

### **1.0 General Requirements**

The software solution will allow for the following general requirements:

1.1. Speed of implementation	Selected candidate should facilitate a proven implementation process that can be completed within a short time frame.
1.2. Ease of implementation	Selected candidate should facilitate a proven implementation process that can be completed with a simple implementation methodology.
1.3. System Users - Administrator/User/Reviewer	Describe user account pricing if applicable.
1.4. System Customization	System to have a user friendly intuitive interface and / or allow some level of customization to hide fields not being used.
1.5. Data Syncing	System is intended to reduce redundant data entry between multiple asset databases and so must either be an enterprise solution, seamlessly linking relevant data between asset management modules, or must allow automated data syncing on a daily basis between user defined fields. Examples of this “enterprise-wide” data might include: Asset ID, name, type, square footage, manager, and year put in service.
1.6. Reporting	System should allow users to schedule automated, customizable reports, publishable in various formats, to include website dashboards.
1.7. Mobility	System should provide mobile access to key user forms and dashboards. Some examples of mobile forms might include work order management, condition assessment, and basic building information such as manager, location, and description.
1.8. Exports	Customized data exports must be able to be performed by the user into basic excel formats.

1.9. Work Requests & Tracking	System must support the creation of a single web-portal for internal employees to enter General Services work requests, integrated seamlessly into the city's intranet website (SharePoint 2013). Work request must be enterable by an un-trained user and easily categorized by maintenance, equipment, energy management, space, move, or project request and automatically directed to the responsible staff person. Work request tracking and updates must be automated but customizable.
1.10. Permissions	System must allow an internal administrator to set different levels of permissions for user types, controlling their ability to modify data.
1.11. Benchmarking	System to provide some benchmarking analytical tools tool include: asset valuations, performance indicators and metrics, and automatically loaded or subscribed comparable from other similar facilities or facility managers.
1.12. Analytics	System should allow administrative access to analytics to determine how system is being used and by whom. Data entry should maintain chain of custody tracking.
1.13. Licensing	System should provide some flexibility in licensing that allows for shifts in staffing without interruptions in access to data.
1.14. Asset History	System should be a central repository for asset history reports, to include work orders, condition assessments, level of service indexes, plans, operations and maintenance manuals, warranties, surveys, leases, and construction and repair project history
1.15. Document Management	System should be a clearinghouse for asset documentation to include: surveys, as-builts plans, inspection reports, operations and maintenance manuals and leases.

1.16. Visualization	System should allow visualization of asset location in a GIS map and should allow maps to be printed or exported showing a selection of properties that meet user defined criteria (eg “all leased properties”).
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## 2.0 Maintenance Management

2.1. Work Flow	System should allow work orders to be entered directly by a requestor through a website portal. Once created, the system should generate automatic status updates to the requestor. The work order should be able to receive multiple approvals before being assigned to a staff person. Work order progress should be track-able, with timestamps indicating when the request moved through creation, assignment, and completion stages.
2.2. Materials and Labor	Work order should allow for assignment of materials, labor and cost data.
2.3. Preventative Maintenance	System should allow for preventative maintenance schedules that automatically generate work orders. PMs schedules should be able to be imported as a batch for a facility, so that that a PM schedule can be received in a predefined format from a designer or contractor as part of the delivery of a new facility or major renovation. Preventative maintenance schedules should be allowed to repeat on an on-going indefinite timeframe.
2.4. Project Creation	Work orders should be able to be bundled and assigned to project codes. Projects codes should have their own work flow including assignment, approval, initiation and completion.

## 3.0. Inventory Management

3.1. Maintenance Work Order Integration	System should allow materials to be issued and tracked for each work order as well as buildings, trucks, and employees.
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3.2. Warehouse / Stock Management	System should allow the building of a virtual warehouse. It should allow a material to be placed in a location, then found in a database when searched. It should tell the warehouse employees exactly where to find the material in stock. It also needs to have a feature that material requestors can search to see if a material is in stock or not.
3.3. Inventory Accuracy	System should keep a history back-up of all transactions with time and date stamp of what was performed and by whom. Also, if possible have the ability to perform a cycle count and track when the last time an item was counted and any discrepancies with inventory.
3.4. Ordering	If possible the system should have a way to order materials with an integrated ordering system.
3.5. RF / Barcode Scanning	If possible the system should have barcode scanning capability for storage racks and materials to ensure accuracy when pulling materials.
3.6. Web Based / Mobile	System must be web based and/or compatible with android devices. It must be able to be used on phones, laptops, desktops, and tablets.

#### 4.0. Utility Tracking

4.1. Data Import	System should provide for easy import, preferably automated, of data from Duke Energy, PSNC Energy or any user created excel database.
4.2. Usage Category Tracking	System should allow each meter to be assigned more than one usage category and climate condition category along with a relative weight for that category by percent.
4.3. Climate Category Tracking	System should allow each meter to be assigned more than one usage category and climate condition category along with a relative weight for that category by percent.
4.4. Sub-meter Tracking and Analysis	System should allow for the addition of sub-meter tracking information.

4.5. Weather Normalization	System should provide weather normalization calculations.
4.6. Peak Load Analysis	System should provide tools for peak load utility rate scenarios, alerts and adjustments.
4.7. Reports and Analysis	System should provide benchmarking information against a national database of similar facilities. Reports and charts should be easy to generate by facility, facility usage category, or by department. Charts and data should be easy to export. Preferred system would allow operational savings calculations and scenario planning.

#### 5.0. Condition Assessment

5.1. Standardization	System should provide a standard framework and set of tools for facility condition assessments that could be performed by either staff or contractors. System should be scalable to include condition ratings for equipment, building system or overall building.
5.2. Replacement Value	System should provide placeholder replacement values for all facilities, as defined by user entered key building information including sf, construction type, building type and age. Values should be derived from local or regional benchmark data. Values should be easily over-written by user.
5.3. Scheduling	System should allow for facilities to be placed on a condition assessment schedule, as determined by facility type, or user over-ride.
5.4. Mobile	Condition assessment tools should be available on mobile devices such smart phones and tablets. Assessment should automatically sync with asset database rather than requiring importing / exporting of data.
5.5. Controls	Syncing should have user protections such that a condition assessment could be approved prior to being received in the asset database.

## 6.0. Replacement & Repair Forecasting

6.1. Scenario Planning	System should allow warranty information, level of service and condition assessment ratings to be used in replacement and repair long-term cash flow forecasts and scenarios, over a user defined period of time.
6.2. Level of Service Tracking	Preferred system would include tools for associating user defined Level of Service rankings, with each facility.

## 7.0. Move Management

7.1. Employee Management	System should allow for integration with City's HR employee database to track employees, job class, department, space and equipment assignments.
7.2. Furniture Management	System should generate tabular reports indicating the furniture and equipment assigned to a space.
7.3. Move Management	System should store unit costs information for typical move costs for various types of equipment, and be able to do move cost scenarios.

## 8.0. Space Management

8.1. Employee Tracking	System should be able track and report on how many employees are assigned to particular building. Preferred system in a future phase, will be able to link to badge readers to give real-time information on who is in a building.
8.2. Space Usage	System should track and provide reports on how many sf are assigned to a department across multiple buildings. System should provide tools for charge-back cost management based on assignable square footage.

8.3. Equipment Inventory	System should track and provide reports on furniture and equipment assigned to a space, person, work unit or department.
8.4. Space Analysis	System should have tools for interacting with building floor plans, including square footage take-offs, employee assignments and equipment assignments.

## 9.0. Real Estate Management

9.1. Parcel Inventory	System should inventory all parcels owned by the City of Durham and include fields for notes and descriptions. Preferred system would automate updates and reconciliations with the County database.
9.2. Lease Inventory	System should inventory all properties for which the City is the lessee.
9.3. Payment Tracking	System should allow tracking, scheduling and reminders for lease payments and invoicing.
9.4. Asset Documentation	System should store or provide links to real estate documentation such as plats, surveys, environmental Ph 1 and Ph 2 studies, and leases.
9.5. Visualization	System should provide mapping tools which allow asset or set of assets to be located on a map for printing or exporting.

## 10.0. Project Management

10.1. Project Planning	Single centralized data repository to collect and manage all data related to capital projects. Ability to analyze the costs of capital projects to identify funding priorities. Evaluate building conditions and compare capital investment options to help maximize a facility's lifetime value.
10.2. Project Management Controls	Provides cost management controls that compare budgeted expenses to actual expenses. Provides schedule management controls that compare original schedule to current schedule. Provides automated alerts indicating deviations from a

	projects budget or schedule.
10.3. SDBE or DBE Participation Tracking	Includes tools for tracking SDBE (Small Disadvantaged Business Enterprise) or DBE (Disadvantaged Business Enterprise) goals and actuals at the contract and project level. Includes tools for comparing and trending S/DBE participation.
10.4. Bid Analysis	Tracks bid data and provides tools for analyzing bids.
10.5. Cost Estimation	Tracks consultant or staff provided cost estimates and provides tools for analyzing cost estimates as compared to bid data. Provides tools for in-house cost estimation utilizing current RS Mean's data.
10.6. Scheduling	Provides resource loaded Gantt chart critical path method scheduling. Generates baseline, planned and actual schedules from templates. Able to receive schedules as imports from contractors.
10.7. Budget Management	Provides budget planning tools for managing the allocation of revenues between projects.
10.8. Contract Management	Repository for all contract related documents including, schedule of values, change orders, RFIs and submittals. Invoice and payment management tools. Approval workflows for contract documents.

#### **11.0. System Access/Data Security**

Software solution will allow for the following system access and data security:

Must be capable of performing audits of entered data.

- 11.1. Must protect the database from illegal access.
- 11.2. Data collected and maintained by the candidate must be secured with access by pre-approved City of Durham employees only. The data maintained is the property of the City and cannot be used in anyway other than for conducting business with the City of Durham.
- 11.3. Support function-level security access privileges (some functions may be available to specific user-groups), including field level for sensitive data.
- 11.4. System should be accessible reliably. If hosted, please show system's uptime statistics.

## 12.0. Maintenance and Support

Candidate's proposal should provide the following information:

- 12.1. Are product updates and enhancements released on an annual schedule?
- 12.2. Are product updates and upgrades mandatory when a new version is released?
- 12.3. Are there charges for new version releases?
- 12.4. Do you have telephone, email, and internet based customer support? Please state your policy for Help Desk support of previous versions/releases.
- 12.5. How does candidate provide product support, training, and other customer communications? Please describe the services offered (i.e. website, etc.)
- 12.6. Please provide your service levels of support (i.e. 24/7, etc.)
- 12.7. List the last 3 versions of your product, their release date, and the date on which each was discontinued and the date on which each was no longer supported.
- 12.8. Solution must be designed to minimize candidate service hours required to maintain and upgrade system. Explain how.
- 12.9. What is the cost for Annual Maintenance and what does it include?

## 13.0. Implementation and Project Management

Candidate's proposal should provide the following information:

- 13.1. Candidate must adhere to best practice project management methodology.
- 13.2. Describe your process for collaborating with our organization on the project plan and the mechanism used to allow our organization to make final changes to that plan.
- 13.3. Provide training and reference materials (documentation).
- 13.4. Candidate must provide flexible implementation options to accommodate customer timeline and desired support.
- 13.5. What training comes with your system?

## 45. City Information Technology Standards

The City has Information Technology Standards for governance and regulatory compliance for applications within its portfolio.

For applications/software that is to reside within the City's Datacenter, the City's Standards are below - *if your software is hosted/cloud-based, please ignore:*

Hardware	VM Ware Virtualized Servers
OS	Windows Server 2012 (64)
Database	SQL Server 2008 R2 (64) or later

## 50. Compensation Amount and Schedule

The timing of the payment or payments will be determined by a contract based on the project scope of work and budget. Provide separate pricing for the following, regardless of whether the items will be bundled:

1. Software license costs.
2. Initial configuration and set-up.
3. Data Migration
4. Hosting fees, if applicable and pricing model (by user, enterprise, module, etc.).
5. Training costs.
6. Ongoing technical support/ maintenance costs, by year.
7. Additional requirements or services.

Candidates should indicate which items are optional.

## 60. Definitions

Unless the context indicates otherwise – (a) the expressions “RFP,” “this RFP,” and “the RFP” refer to this document as it may be amended or updated. (b) “City” and “city” mean the City of Durham. (c) The “proposal” is the response of a person, firm, or corporation proposing to provide the services sought by this RFP. (d) The word “Candidate” or “candidate” is the person, firm, or corporation that submits a proposal or that is considering submitting a proposal. (e) The word “Contractor” or “contractor” is the person, firm, or corporation with which the City enters into a contract to provide the services sought by this RFP. That is, “contractor” generally refers to a successful candidate that has obtained a fully executed contract with the City, while “candidate” is generally reserved to the stage before a contract has been signed. (f) The word “should” is used to tell candidates what the City thinks it wants and/or what the Project Manager thinks is best. Candidates that want to increase the likelihood of being selected will, in general, do what the RFP says candidates “should” do, but failure to comply with all “shoulds” will not necessarily and automatically result in rejection.

## 70. Contract

The City anticipates that the conclusion of the RFP process will be a contract between the City and the successful candidate under which the successful candidate will provide the goods and services generally described in this RFP. The contract requires compliance by the contractor and its subcontractors with respect to the N. C. E-Verify law. Please see section 320, which is titled “E-Verify Compliance.”

## 80. Trade Secrets and Confidentiality

As a general rule, all submissions to the City are available to any member of the public. However, if materials qualify as provided in this section, the City will take reasonable steps to keep trade secrets confidential.

## Definitions

In this section (Trade Secrets and Confidentiality), the term “candidate” includes the candidate as contractor (that is, after it is a party to a contract with the City). The term “trade secret” means business or technical information, including but not limited to a formula, pattern, program, device, compilation of information, method, technique, or process that:

- A. Derives independent actual or potential commercial value from not being generally known or readily ascertainable through independent development or reverse engineering by persons who can obtain economic value from its disclosure or use; and
- B. Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

The existence of a trade secret shall not be negated merely because the information comprising the trade secret has also been developed, used, or owned independently by more than one person, or licensed to other persons. The term “record” means all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, regardless of physical form or characteristics, received by the City of Durham in connection with the candidate’s proposal.

**(a) Designation of Confidential Records.** To the extent that the candidate wishes to maintain the confidentiality of trade secrets contained in materials provided to the City, the candidate shall prominently designate the material with the words “trade secrets” at the time of its initial disclosure to the City. The candidate shall not designate any material provided to the City as trade secrets unless the candidate has a reasonable and good-faith belief that the material contains a trade secret. When requested by the City, the candidate shall promptly disclose to the City the candidate’s reasoning for designating material as trade secrets; the candidate may need to label parts of that reasoning as trade secrets. In providing materials to the City, the candidate shall make reasonable efforts to separate those designated as trade secrets from those not so designated, both to facilitate the City’s use of the materials and to minimize the opportunity for accidental disclosure. For instance, if only a sentence or paragraph on a page is a trade secret, the page must be marked clearly to communicate that distinction. To avoid mistake or confusion, it is generally best to have only trade secret information on a page and nothing else on that page.

To the extent authorized by applicable state and federal law, the City shall maintain the confidentiality of records designated “trade secrets” in accordance with this section. Whenever the candidate ceases to have a good-faith belief that a particular record contains a trade secret, it shall promptly notify the City.

**(b) Request by Public for Access to Record.** When any person requests the City to provide access to a record designated as a trade secret in accordance with subsection (a) above, the City may

- (1) decline the request for access,



(2) notify the candidate of the request and that the City has provided, or intends to provide, the person access to the record because applicable law requires that the access be granted, or

(3) notify the candidate of the request and that the City intends to decline the request.

Before declining the request, the City may require the candidate to give further assurances so that the City can be certain that the candidate will comply with subsection (c) below.

**(c) Defense of City.** If the City declines the request for access to a record designated as trade secrets in accordance with subsection (a), then, in consideration of the promises in (b) above and for considering the candidate's proposal, the candidate agrees that it shall defend, indemnify, and save harmless Indemnities from and against all Charges that arise in any manner from, in connection with, or out of the City's non-disclosure of the records. In providing that defense, the candidate shall at its sole expense defend Indemnities with legal counsel. The legal counsel shall be limited to attorneys reasonably acceptable to the City Attorney.

Definitions. As used in this subsection (c), "Charges" means claims, judgments, costs, damages, losses, demands, liabilities, fines, penalties, settlements, expenses, attorneys' fees, and interest. Indemnities" means the City, and officers, officials, independent contractors, agents, and employees, of the City. "Indemnities" does not include the candidate. The City may require the candidate to provide proof of the candidate's ability to pay the amounts that may reasonably be expected to become monetary obligations of the candidate pursuant to this section. If the candidate fails to provide that proof in a timely manner, the City shall not be required to keep confidential the records whose non-disclosure gives rise to the potential monetary obligation. Nothing in this agreement shall require the City to require any person (including the City itself) to be placed in substantial risk of imprisonment, of being found by a court to be in contempt, or of being in violation of a court order. This subsection (c) is separate from and is to be construed separately from any other indemnification and warranty provisions in the contract between the City and the candidate.

**Bonds.** *No fidelity bond, performance bond, or payment bond is required for this contract.*

## 100. Insurance

Depending on the nature of the approved project, the City of Durham Office of Risk Management may require the candidate to carry insurance for the project, with the City named as an "additional insured." The project contract will include any necessary insurance requirements which shall be the responsibility of the candidate. It is recommended that candidates indicate in their proposal what insurance they have.

## Discretion of the City

- A. The City of Durham reserves the right to reject any or all proposals.
- B. NOTWITHSTANDING anything to the contrary in this document or in any addendums to this document, unless the contrary provision refers specifically to this provision, the City reserves the right (i) to negotiate changes of any nature with any candidate with respect to any term, condition, or provision in this document and/or in any proposals, whether or not something is stated to be mandatory and whether or not it is said that a proposal will be

rejected if certain information or documentation is not submitted with it, and (ii) to enter into an agreement for some or all of the work with one or more persons, firms, or corporations that do not submit proposals. For example, all deadlines are for the administrative convenience or needs of the City and may be waived by the City in its discretion. This subparagraph B applies to the entire RFP, including the SDBE portions.

- C. Where the City asks or tells candidates to do stated things, such as that a proposal should follow a stated format or that the candidate should do stated things in seeking the contract, the City may reject a proposal because it does not comply with those requests, so the candidate is adding to its risk of rejection by non-compliance. Still, the City may, in its discretion, waive non-compliance. This subsection (C) does not limit subsections (A) and (B).
- D. Of course, once a contract is signed, the parties to the contract may enforce the contract according to its terms as allowed by applicable law.

## SCHEDULE

### 120. Task Deadlines

Task	Date
Solicitation of proposals from Candidates by the City of Durham	January 21, 2016
Deadline for Proposers to Register Intent to Submit	February 5, 2016
Deadline for receiving RFP questions	February 12, 2016 2pm EST
Proposals are due and will be opened at 2pm at 2011 Fay St. Durham, NC 27704	February 22, 2016 2pm EST
Selection process	February / March 2016
Contract negotiation	April / May 2016

This schedule is the City's best estimate of the schedule that will be followed. If a component of this schedule is delayed, the rest of the schedule will be shifted by the same number of days.

### 130. Keeping Proposals Open

All proposals will remain open and valid for the City to accept for a period of 14 days after the deadline for submission of proposals. The Project Manager may release candidates from this obligation by a written letter that specifically refers to this paragraph if he or she determines that the candidate and/or the proposal will not meet the City's needs.

### 140. Deadline to Submit Proposals

Candidates should see that their proposals are received physically by Monday, February 22, 2016 at 2:00 pm EST. Proposals should be delivered to the following address:

Robyn Williams Heeks  
Construction Project Management  
General Services Department  
2011 Fay St.  
Durham, NC 27704

## GETTING MORE INFORMATION ON THE PROJECT AND RFP PROCESS

### 150. Questions

Questions about the RFP and the RFP process should be submitted to the Project Manager identified at the beginning of this RFP. All questions must be received by Friday, February 12<sup>th</sup> at 5pm EST. Answers to questions will be communicated via addenda to the RFP which will be posted on the City's website.

### 170. Updates and revisions to RFP

Any updates to this RFP ("addendums" or "addenda") will be posted on the City's website.

The City's Bid Postings website is <http://durhamnc.gov/bids.aspx>.

## EVALUATION CRITERIA

### 180. Evaluation Criteria

If an award is made, it is expected that the City's award will be to the candidate that agrees to meet the needs of the City. A number of relevant matters will be considered, including qualifications and cost.

## CONTENTS OF PROPOSAL

### 240. Contents of Proposal

The proposal should include sections, numbered as follows:

1. **Contact Information.** Include the candidate's name and address, and the contact information (name, mailing address, email address, fax number, and telephone number) of the person whom the City should contact regarding the proposal.
2. **Legal Status of the Candidate and Signers.** State the full, exact name of the candidate. State whether the candidate is an individual, corporation, limited partnership, general partnership, limited liability company, professional corporation, professional association, etc. If it is anything other than an individual or a general partnership, specify the State under which the entity is organized. If the State under which the entity is organized is not North Carolina, specify whether the candidate has received a certificate of authority from the N. C. Secretary of State to transact business in North Carolina. State whether the entity is in existence at the time the proposal is submitted; and, if not, whether and when the candidate intends to officially form the entity. State the names and titles of the individuals who will sign the contract with the City.
3. **Qualifications, References, and Licenses.** This part should include the candidate's experience on similar projects and include references and how to contact them. The candidate should also list current licenses that are pertinent to this project.
4. **Project Team, Location of Work, and Subcontracting.** State the names and qualifications of the individuals who will have responsibility for this project.
5. **Methods and Procedures.** Include the work break down structure for this project.
6. **Compensation.** See Section 50 for Compensation
7. **Assumptions regarding City of Durham Actions and Participation.** If your proposal assumes that the City will take certain actions, provide facilities, or do anything else, you should state these assumptions explicitly.
8. **Equal Business Opportunity Program.**

It is the policy of the City to provide equal opportunities for City contracting for small firms owned by socially and economically disadvantaged persons doing business in the City's Contracting Marketplace. It is further the policy of the City to prohibit discrimination against any firm in pursuit of these opportunities, to conduct its contracting activities so as to prevent such discrimination, to correct present effects of past discrimination and to resolve complaints of discrimination. This policy applies to all City contracting, including procurement services.

In accordance with the Ordinance, all contractors are required to provide information requested in the “SDBE Procurement Services Forms” package, which has been included with this Request for Proposals. Proposals that do not contain the appropriate, completed “Procurement Forms” will be deemed non-responsive and ineligible for consideration. The “Declaration of Performance”, “Managerial Profile”, “Equal Opportunity Statement” and the “Employee Breakdown” documents are required of all contractors. In lieu of the “Employee Breakdown,” contractors may submit a copy of the current EEO-1 form (corporate basis).

The Department of Equal Opportunity/Equity Assurance is responsible for the Equal Business Opportunity Program. All questions about “SDBE Procurement Services Forms” should be referred to Deborah Giles or other department staff at (919) 560-4180.

Please find, complete and attach the SDBE forms (Exhibit A) for this RFP.

9. **Financial Condition, Insurance, and Bonds.** The City may reject proposals from candidates that are overdue on City property taxes.
10. **Conflict of Interest.** If the candidate has any grounds to believe there could be a conflict of interest, such as that a City employee who is involved in awarding the contract has a connection with the candidate, please explain.
11. **Non-collusion.** This RFP constitutes an invitation to bid or propose. Sign the attached Non-Collusion Affidavit (Exhibit B) and include it with your response.

#### COVER LETTER WITH PROPOSAL

##### 250. Cover letter

The proposal should contain a cover letter, signed by a principal of the candidate. The cover letter should contain the following statement:

*The undersigned, whose title and position with the candidate are stated next to or beneath his or her signature, has the authority to submit this proposal (including this cover letter) on behalf of the candidate in response to the City of Durham’s Request for Proposals.*

*Unless otherwise clearly stated in this response to the RFP, our proposal accepts the terms and conditions stated in the RFP, including the description of services to be performed and the provisions of the contract to be signed.*

The cover letter should contain one of the following two paragraphs A or B. If (i) the cover letter lacks both paragraph A and paragraph B, or (ii) the cover letter contains paragraph A but fails to comply with the instructions in the section of the RFP titled “Trade Secrets and Confidentiality,” the City may treat everything it receives from the candidate as NOT trade secret or confidential, and the City may disclose to the public everything it receives from the candidate.

- A. *With respect to all trade secrets that the candidate may submit to the City in connection with this proposal or the contract, if the contract is awarded to the candidate, the candidate*

*shall comply with the section of the RFP titled “Trade Secrets and Confidentiality,” including all of its subsections, including the subsection titled “Defense of City.” The candidate acknowledges that the City will rely on the preceding sentence.*

**-or-**

*B. The candidate is not submitting any trade secrets to the City in connection with this proposal or the contract; if the contract is awarded to the candidate, the candidate will not submit any trade secrets to the City in connection with this proposal or the contract. The candidate acknowledges that the City will rely on the preceding sentence.*

*A. This proposal is an offer that cannot be revoked before 60 days. The City may allow the candidate to withdraw the offer by sending written withdrawal permission that refers specifically to this provision.*

**-or-**

*B. This proposal is not an offer, and the candidate retains the right to decline to enter into a contract with the City for this project.*

## **260. Addendums**

The cover letter should list the last addendum that the City issues for this RFP, with a statement such as “The undersigned candidate has read all the addendums issued by the City for this RFP, through and including Addendum No. \_\_\_\_.” In that blank, the candidate should list the number of the last addendum.



## HOW TO SUBMIT A PROPOSAL

### 270. Proposal Submission Instructions

All submitter should register their intent to submit by email to the Project Manager listed above, by February 5<sup>th</sup>, 2016. All questions related to the proposal must be submitted by February 12<sup>th</sup> at 5pm.

Candidates should submit six (6) 8.5 x 11, spiral bound, physical copies and one (1) electronic copy of their proposals to the Project Manager at the address given at the beginning of the RFP. The electronic copy should include a pdf of the spiral bound proposal and any associated reference material. The Project Manager will respond via email to confirm receipt within two business days or receipt.

### 280. Submission Format

Proposal overview information should be provided in the format illustrated below (Example 280-1). For submitter convenience a pre-formatted excel spreadsheet has been provided as part of this advertisement. You may also contact the Project Manager to receive a copy over email. Although every effort has been made to make sure the spreadsheet is complete, it is the submitter's responsibility to insure that each item listed in Section 40 above is included in the spreadsheet and in their final submittal. Any additional reference material can be attached and referenced in the proposal response. Responses should be sent in physical 8.5 x 11 printed format as directed in Section 270.

#### *Example 280-1:*

Item No	Requirement	Description	Does Solution Meet Requirement? (Yes / No)	Description of how solution meets or does not meet requirement
1.1	Speed of implementation	Selected candidate should facilitate a proven implementation process that can be completed within a short time frame.		

### 290. Alternative Proposals

If you wish to submit a proposal that does not comply with the City's standards and expectations, consider submitting two proposals: a proposal that complies, plus a proposal that does not comply, so that your "non-compliant" version can be considered as an alternative if the City is interested. This will allow your compliant version to be considered if the City remains steadfast on applying the standards and expectations.

### 300. Candidate to Bear Expense; No Claims Against City

No candidate will have any claims or rights against the City arising out of the participation by a candidate in the proposal process. No candidate will have any claims or rights against the City for the City's failure to award a contract to it or for awarding a contract to another person, firm, or corporation, regardless of whether the other person, firm, or corporation participated in the RFP process or did not submit a proposal that complied with the RFP. A notice of award will not constitute acceptance by the City; the City's only method of acceptance is the City's execution of a formal contract in accordance with law.

### **310. Notice Under the Americans with Disabilities Act (ADA)**

The City of Durham will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Anyone who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in the City program, service, or activity, should contact Ms. Stacey Poston, ADA Coordinator, voice 919-560-4197, fax 560-4196, TTY 919-560-1200, or [Stacey.Poston@durhamnc.gov](mailto:Stacey.Poston@durhamnc.gov), as soon as possible but no later than 48 hours before the scheduled event.

### **320. E-Verify Compliance**

The contractor represents and covenants that the contractor and its subcontractors comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (NCGS). The City is relying on this E-Verify Compliance section in entering into this contract. The parties agree to this section only to the extent authorized by law. If this section is held to be unenforceable or invalid in whole or in part, it shall be deemed amended to the extent necessary to make this contract comply with NCGS 160A-20.1(b).

---- End of RFP ----

Exhibit A



# CITY OF DURHAM SMALL DISADVANTAGED BUSINESS ENTERPRISE PROGRAM

## PROCUREMENT FORMS

Revised 06/08



Mailing Address:

101 City Hall Plaza  
Durham, North Carolina 27701  
Phone: 919-560-4180  
Facsimile: 919-560-4513

Street Address:

101 City Hall Plaza (Annex)  
Durham, North Carolina 27701

The Department of Equal Opportunity/Equity Assurance  
*Good Things Are Happening In Durham*

## **Small Disadvantaged Business Enterprise Ordinance SDBE Procurement Documentation**

**If applicable information is not submitted with your bid, your bid will be deemed non-responsive.**

**Declaration of Performance** must be completed and submitted with your bid.

**Managerial Profile** must be used to list the managerial persons in your work force who will be participating in this project.

**Equal Employment Opportunity Statement** for your company must be completed and submitted with your bid.

**Employee Breakdown** must be completed and submitted for the location providing the service/commodity. If the parent company will be involved in providing the service/commodity on the City contract, a consolidated employment breakdown must be submitted.

**COMPLETE THIS FORM**  
**DECLARATION OF PERFORMANCE BY CANDIDATE/CONTRACTOR**

**Briefly address each of the following items:**

1. A brief synopsis of the company and the products/services it provides:
2. Describe the normal procedure used on a bid of this type, giving the flow of purchase from the company to the ultimate purchaser:
3. List anyone outside of your company with whom you will contract on this bid:

The undersigned candidate/contractor certifies that:

- (a) It is normal business practice of the candidate/contractor to perform all elements of the contract with its own work force without the use of subcontractors/candidates; and
- (b) That the above documentation demonstrates this firm's capabilities to perform all elements of the contract with its own work force or without the use of subcontractors/candidates.

---

Date Authorized Signature

**COMPLETE THIS FORM**  
**Managerial Profile**

Name of Firm: \_\_\_\_\_

Contact person: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Date: \_\_\_\_\_

List the managerial persons in your work force who will be participating in this project, including name, position, and whether the individuals are minority or woman within the definition\* of the City of Durham's Minority and Women Business Enterprises Ordinance.

**Managerial Employees**

<u>NAME</u>	<u>POSITION</u>	<u>(YES/NO)</u> <u>MINORITY/WOMAN</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

\*"Minority" means an individual who is a citizen or lawful permanent resident of the United States and who is a "Black American", a person having origins in any of the Black racial groups of Africa. On building contracts, construction over \$100,000.00 or federally funded projects, the federal and/or state definitions apply.

**COMPLETE THIS FORM**

**EQUAL OPPORTUNITY STATEMENT**

## EMPLOYEE BREAKDOWN

M-----a-----l-----s F---e---m---a---l---e---s

[illegible]

M-a-l-e-s F-e-m-a-l-e-s

[illegible]



**Exhibit B**  
**Non-Collusive Affidavit**

The City of Durham prohibits collusion, which is defined as a secret agreement for a deceitful or fraudulent purpose.

I, \_\_\_\_\_ affirm that I have not engaged in collusion with any City employee(s), other person, corporations or firms relating to this bid, proposals or quotations. I understand collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Name of Organization